IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE ELEVENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE DR JUSTICE G.YETHIRAJULU**

-

**WRIT PETITION NO : 18486 of 2004**

Between:

K. Bazarappa, S/o. K. Jaya Ramulu, Aged about 42 years,
R/o H. No. 3/14, Varakur (V), Kodumur (M),

Kurnool District.

**..... PETITIONER**

AND

1. The Regional Manager, APSRTC., Kurnool Region,

Kurnool District.
2. The Depot Manager, APSRTC, Pattikonda Bus Depot,

Kurnool District.

**.....RESPONDENTS**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an order, direction or Writ more particularly one in the nature of Writ of Mandamus declaring the action of the 2nd respondent in not taking the petitioner into

service as illegal, arbitrary and unjust and consequently direct the respondents to continue the petitioner into service.

**Counsel for the Petitioner: MR.G.RAVI MOHAN**

**Counsel for the Respondent Nos.1&2: MR.P.VINAYAKA SWAMY (S.C. FOR A.P.S.R.T.C.)**

**The Court at the stage of admission made the following :**

-

-

-

**THE HONOURABLE DR.JUSTICE G.YETHIRAJULU**

**Writ Petition No. 18486 of 2004**

**ORDER:**

The petitioner contends that he was appointed as a Conductor in the respondents-Corporation on 01.02.1992 and he was working as a regular Conductor in the respondents-Corporation. He remained absent from 01.07.2004 to 22.07.2004 on account of his sickness and treatment. He reported to duty on 28.07.2004 before the second respondent, but the second respondent did not permit him to perform the duties and did not issue any charge-sheet or any other order as to why he was preventing him from attending the work. If the period of absence is not properly explained by the petitioner, it is for the second respondent to take appropriate action regarding the treatment of the period of leave and any other action regarding his absence, if it is unauthorised. But, without taking appropriate action according to the regulations, the second respondent is not expected to refuse permission to the petitioner to join duty, after the period of absence.

2. The petitioner is directed to report to the second respondent with an application, expressing his willingness to report to duty, if it is not already submitted. The second respondent is, therefore, directed to take the petitioner to duty forthwith and he is at liberty to take appropriate action regarding the period of absence from 01.07.2004 to 22.07.2004 and pass appropriate orders according to Law, after following the prescribed procedure provided under the regulations.

3. The Writ Petition is accordingly disposed of. No order as to costs.

**Dr.G.YETHIRAJULU, J**

**Date: 11th October, 2004.**

Cs

ASSISTANT REGISTER

//TRUE COPY//

SECTION OFFICER

To

1. The Regional Manager, A.P.S.R.T.C., Kurnool Region, Kurnool District.
2. The Depot Manager, A.P.S.R.T.C., Pattikonda Bus Depot, Kurnool District.
3. Two C.D. copies.